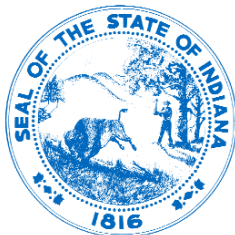


John J. Day

Indiana State Representative, District 100



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Spring, 2002

Dear Friend,

Like a car that would not start after extensive work (charging the battery, adjusting the carburetor, etc.) and repeated efforts, our recently concluded legislative session never really started. Some worthwhile laws were enacted, yet the major challenges of tax restructuring/reform and deficit reduction contained in House Bill 1004 were not achieved by the March 14th deadline.

While voting for a tax increase is seldom popular, I voted for the tax bill. Let me share my reasons for doing so.

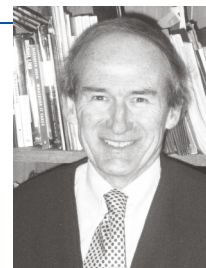
The tax reform bill would have:

1. Provided substantial property tax relief for home owners (as much as a 15% to 20% reduction).
2. Promoted economic development and more jobs in our state with a 50% reduction in the inventory tax and an increase in the research and development tax credit.
3. Offered greater tax fairness with an Earned Income Tax Credit plan to establish a refundable tax credit for workers earning less than \$30,000.
4. Reduced our pending \$1.3 billion deficit.

In this newsletter let me review a new election law, landlord-tenant reform legislation, a new proposal to help older neighborhoods and a public safety law using modern technology. There is also information on how to sign up for the Telephone Privacy List to avoid unwanted telemarketer calls. Finally, in the Good News Department is a brief report on the students and community council at Harshman Middle School.

In these difficult times with our unfinished agenda, it is helpful to recall the message of President Kennedy who reminded us that, **"Our task is not to fix the blame for the past, it is to set the course for the future."**

All the best,

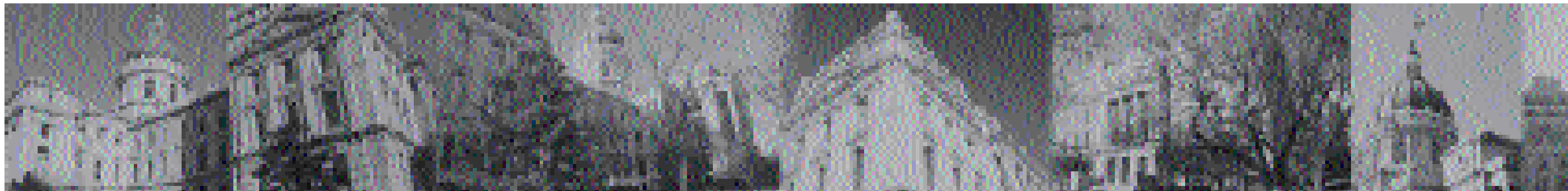


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Legislature enacts Day's landlord-tenant reforms

Early in my legislative service I met a Ms. Almon. She was threatened with eviction after complaining to the landlord about her unheated building in zero-degree weather, where her 2-year-old granddaughter caught pneumonia. I promised Ms. Almon that I would try to modernize our out-of-date law to give greater protection to those in similar situations. The enactment of House Bill 1013 honors that promise.

In 1989 a law governing the return of tenant security deposits was enacted, and in 1999 a ban on lock-outs and retaliatory evictions was adopted. The passage of these earlier bills helped, but did not directly address Ms. Almon's situation.

Before summarizing the new law, let me say that the majority of landlords are ethical business people, and the majority of tenants are responsible. For those who are

not, this new law, effective July 1, offers some remedies. Both sides have obligations; tenants to use the property in a reasonable manner and landlords to keep rental units in safe, clean and habitable condition. After notice and non-compliance, the injured party may go to court to seek relief.

The warranty concept, a key feature of consumer protection law, will now apply to rental agreements entered into after July 1, 2002.

I am especially grateful to all who helped in enacting this new law, especially Sen. Richard Bray (R-Martinsville), the Senate sponsor, and Kathryn Williams, a human services lobbyist and former Legal Services attorney. Their



REP. DAY WITH GOV. FRANK O'BANNON AT THE SIGNING OF HOUSE BILL 1013.

advice, suggestions and encouragement were invaluable.

Others who had key roles in this success story were Rep. Michael Dvorak (D-South Bend), House Co-Sponsors Reps. Ralph Foley (R-Martinsville) and Brent Steele (R-Bedford), and Senate Co-Sponsor Sen. Timothy Lanane (D-Anderson).

New law brings neighborhood improvement

Some property owners leave trash or junk cars in their yards, or let the weeds grow so high as to harm the appearance of the neighborhood. House Bill 1240 will, I believe, be quite helpful to cities in Indiana as they seek to enforce health and sanitation laws regarding property owners.

Currently, the city often must go to court in a time-consuming process to correct the problem of those unwilling to clean up their property. Under the new law, after notice and noncompliance the city may simply certify to the County Auditor the cost of the clean up, and place this amount on the property owner's tax bill. There were nearly 20,000 such cases in Indianapolis last year. While 75% of them resulted in voluntary compliance, the other 25% (about 5,000 cases) will now be handled more efficiently, thereby improving the appearance of many older neighborhoods.



REP. DAY AND OTHER LEGISLATORS JOINED MS. PERKINS AND OTHER VOLUNTEERS IN HELPING BUILD A HABITAT FOR HUMANITY HOME FOR THE PERKINS FAMILY LAST SEPTEMBER.

Project Hoosier SAFE-T

While part of a new public safety law passed this year seeks to prevent a terrorist attack, the law also creates a comprehensive communication system. House Bill 1001 includes a \$1.25 BMV service charge which will be used to develop Project Hoosier SAFE-T, an integrated wireless public safety system to help connect agencies across the state in case of an emergency.

Any event that crosses county lines, such as a severe storm, a police chase or a fatal accident puts the first responders and the victims at risk if officials are unable to cooperate and respond quickly. This system will connect all participating local, state and federal public safety agencies. Eliminating incompatible or obsolete radio systems will save lives.



Election law reform

Along with a number of other states, Indiana has tried to avoid some of the problems seen in the 2000 election by updating our election laws.

House Bill 1101, sponsored by Rep. Jonathan Weinzapfel, allows voters to cast a provisional ballot if they believe they are registered, but are not listed in the local precinct poll book. This avoids the problem of long delays while waiting for clarification from the Election Board. The Board would have five days to certify the voter as registered and count their vote.

The new law also makes it easier to vote by absentee ballot at the clerk's office in the 29 days prior to election.

In 2001 and again this year I sponsored a bill to extend voting hours to 8 p.m. We are one of only three states that close at 6 p.m. In both years the bill passed the House, but it was stalled (not voted on) in the Senate. Indiana should join the 47 other states and extend the time for voting, and I plan to continue working on this issue to expand the opportunity to vote.

The Good News Department

As we know, for a school to be really successful parental involvement is needed. Also needed is community support for our schools. One such support organization is the Harshman Community Council for Public School #101.



SEVENTH GRADE HONOR ROLL STUDENTS FROM PUBLIC SCHOOL #101.

For over 10 years the Council, made up of concerned citizens, dedicated teachers and parents, has provided support for various recreational, academic and community service projects to enrich the life of the students and the neighborhood.

Each February the Council has an evening reception for the honor roll students and their families. The theme this year was "You are the Heart of the Community." In the picture above are 7th grade honor students.

It was good to see these young people recognized for their positive achievements. The Council's action says to these kids that they are valued and that we have high hopes for them.

Telephone Privacy List still available

If you haven't yet registered for the Telephone Privacy List, you still have time. Although the list is already in effect, it is updated every three months. If you register now, your name will be included when the updated list takes effect July 1, 2002.

The Telephone Privacy List is free to Indiana residents. By adding your name, most telemarketers will be prevented by law from calling you. You only need to register once to be included.

How to register

You may register by calling the toll-free number, 1-888-834-9969. You may also register online at the Attorney General's Website. Go to www.in.gov/attorneygeneral and scroll down the page until you come to the ringing phone icon. This will take you to the Telephone Privacy List page. Click on the link that says "Register Here," and fill out the registration form.

Certain exceptions

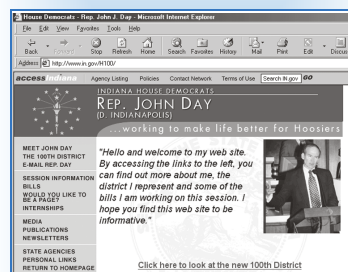
Registering with the Telephone Privacy List will not eliminate all telemarketing calls. Four types of solicitors are exempt from the law: Charitable organizations using volunteers or employees to make calls; newspapers using employees to make calls; insurance agents; and realtors.

Violations

If you receive a telemarketing call from someone other than the exceptions listed above after the list becomes effective, you may down-

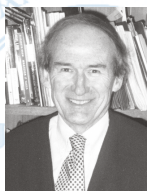
load a complaint form from the Attorney General's Website or call 1-812-355-5915. If a company is in violation, the Attorney General's Office may issue a court order to prevent further calls and may seek a fine of up to \$25,000.

Stay informed about this and other issues online with Representative Day



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